

HERON, A. et al.
Appl. No. 10/509,089
March 13, 2007

AMENDMENTS TO THE DRAWINGS

Proposed drawing changes are shown on the attached annotated marked up drawing and are incorporated within an attached proposed replacement sheets of drawings.

Attachment: Replacement Sheet(s)
Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

In response to the Examiner's drawing objection, the drawings have been reviewed and amended so as to put them in more traditional US format (including a "prior art" designation for Fig. 1).

In response to the Examiner's formality-based objection to claims 4-5 and 7, the misprint at the beginning of these claims has been corrected by the above amendment.

In response to the rejection of claims 9-10 under 35 U.S.C. §112, second paragraph, claim 9 has been amended so as to change its dependency and so to also make clear which access control means are being referenced. Claim 10 has similarly been amended so as to use the exact words having antecedent basis in claim 1 and in claim 8.

In response to the rejection of claims 7 and 25 under 35 U.S.C. §112, second paragraph, these claims have been amended so as to avoid the need for antecedent basis with respect to the first recitation of "a communication path".

Accordingly, all outstanding formal issues are now believed to have been resolved in the applicant's favor.

The rejections of claims 1-9, 11-16, 18-25 and 29-31 under 35 U.S.C. §102 as allegedly anticipated by Mizuno '927 is respectively traversed.

While Mizuno does teach synchronization of groupware information between system control apparatus 61 behind firewall 20 and service site 72 located on other side of the firewall and connected via the internet 10, such data synchronization is not achieved by the applicant's novel arrangement.

In particular, the applicant enables a remote controlling site to "reach" the controlled equipment behind the firewall (e.g., so as to control diverse devices behind the firewall to set-up a teleconference) by establishing a portal through the firewall using two controllers, one on each side of the inner firewall. The inside controller 20 interfaces with the diverse equipment 1, 2 using suitably diverse equipment drivers. The remote controller 21 communicates with the inside controller via a connection which is initiated by the inside controller through a single port. The inside controller 20 then "holds the door open" for remote controller 21 to create a controlled message connection interface passing through the firewall.

The Examiner attempts to equate applicant's first controller with Mizuno's system control apparatus 60 and attempts to equate applicant's recited second controller with system control apparatus 69 behind a different company's network firewall 21. The Examiner alleges that the system control apparatus 60 behind A company's firewall 20 receives device control messages from a control station via the system control apparatus 61 located behind B company's network firewall 21. However, the undersigned cannot find any teaching or suggestion of such in Mizuno.

For example, the Examiner refers for support to paragraph [0007] and paragraph [0008]. However, these paragraphs are in the background section of Mizuno and refer to the prior art

teachings of Figures 8 and 9 -- not to Mizuno's own elements shown in his Figure 1 and to which the Examiner makes reference.

The Examiner alleges, for example, that Mizuno's first controller is configured to send device control messages to the second controller after initiation of a connection to the first controller by the second and references paragraph [0008] for support. However, paragraph [0008] actually refers to communication in a prior art configuration depicted at Figure 9 between a portable terminal 80 and a dial-up modem 103 that completely bypasses the firewall:

[0008] Further, a RAS (remote access server) 101 is installed at the firewall 20. The RAS allows an outside portable 180 to dial-up to refer to information or files via a modem 103 connected to the RAS 101. By this configuration, data residing in the A company's intranet 100 can be accessed without passing the firewall.

As will be recognized, this teaching is the antithesis of applicant's claimed invention where an inside controller initiates the opening of an port passing through the firewall and then holds that port door open so that an outside controller can establish communication connection for remote device control.

Mizuno describes sharing and managing the consistency of groupware information and files across a firewall. The system as depicted in Figure 1 includes a file duplication daemon which duplicates and compresses information of local disk resource (40a) of each client (40, 41) within an intranet (100), and sends the duplicate information as a file to a variety of destinations.

Mizuno's destination is an intranet disk resource (61) which stores master data, and is associated with a system control apparatus (60) which manages the groupware information. The system control apparatus is sited behind the firewall (20) of the intranet. Another destination for

the duplicate information is an internet disk resource (71) which is sited outside the firewall at a service site (70).

The Mizuno system is set up to synchronize information sited (a) behind the firewall and (b) outside the firewall, as described in paragraphs [0058] onwards, using a personal information update daemon (62d). This daemon is sited behind the firewall with system control apparatus (60). It is described in paragraphs [0064] to [0066] how the daemon monitors for differences in the two sets of information, and synchronizes them by updating the outdated set of information. It is not explicitly stated but it seems that security behind the firewall is maintained because the impetus for updating information originates from the daemon (62d) sitting behind the firewall.

This is very different from the applicant's claimed invention. The Examiner's alleged application of applicant's claims to the Mizuno system is flawed. For example, network (200) (which the Examiner describes as being the second network side) is provided in Mizuno as only an example of another network similar to network (100) which can communicate with e.g., the service site (70). There is nothing in Mizuno to suggest that there is any controlling activity between the two networks, (100, 200).

It is true that Mizuno has a signal of some sort traveling from behind the firewall outwards. In Mizuno, this is the personal information update daemon performing synchronization of two sets of information. However, in applicant's claimed invention the controller behind the firewall (20) is "holding open the door" for sending device control messages through the inner firewall.

There is no sensible equivalent to the “first controller connected to the network” in Mizuno: in the description of paragraph [0030] components (72) and (73) have functions which do not include “receiving device control messages from a control station”. The system control apparatus does not “hold open the door” for the (non-existent) “first controller” to send control messages to the service site. The updating/synchronizing/transferring activity of Mizuno would not be understood by the skilled person to be device “controlling” activity. Mizuno does not describe how device control messages are sent only after a connection has been initiated between the system control apparatus and the (non-existent) “first controller”.

The two systems have very little in common, and are in any case set up to perform quite different tasks.

Independent claim 18 recites a method of remote control where a connection to a first controller is initiated from an inside second controller then device control messages from a control station are sent to the first control station and then from there on to the second controller via the connection initiated by the second controller. As already noted, this is quite different from the teaching of Mizuno. In fact, Mizuno does not appear to involve a connection for sending device control messages.

Independent claim 19 requires remote monitoring of device operations over a communication network through a means for controlling access wherein the monitor station initiates a connection over which the first controller is configured to send information to the monitor station, etc.

Independent claim 30 is also directed to remote monitoring of device operations wherein the monitor station connected to a network on its first side initiates a connection to a first controller connected on the second side. Thereafter, event information relating to operations of at least one device is sent from the second controller to the first controller and then onward to the monitor station.

With such fundamental deficiencies of Mizuno with respect to the independent claims, it is not believed to be necessary to detail the additional deficiencies of this reference with respect to other aspects of the independent claims and/or additional aspects brought out by dependent claims. Since the Examiner has alleged anticipation, it is of course clear that there can be no anticipation unless the single reference relied upon teaches each and every recitation of each and every rejected claim. Under such circumstances, it is legally impossible for a reference to anticipate a dependent claim if it does not anticipate a parent claim.

The rejection of claims 10 and 26 under U.S.C. §103 as allegedly being made “obvious” based on Mizuno based in view of Shaw ‘728 is also respectively traversed.

Fundamental deficiencies of Mizuno have already been noted above with respect to parent claims. Shaw does not supply those deficiencies. Accordingly, it is not believed necessary at this time to detail the additional deficiencies of this allegedly “obvious” combination of references.

The rejection of claim 17 The rejection of claims 10 and 26 under U.S.C. §103 as allegedly being made “obvious” based on Mizuno/Shaw in further view of Gulick ‘451 is also respectfully traversed.

As before, in view of the fundamental deficiencies of Mizuno with respect to a parent claim and in view of the fact that neither Shaw nor Gulick supply those deficiencies, is not believed necessary at this time to detail the additional deficiencies of this allegedly “obvious” combination of references.

The rejection of claims 27 and 28 under U.S.C. §103 as allegedly being made “obvious” based on Mizuno/Shaw is also respectfully traversed.

As with the other multi-reference grounds of rejection, it is respectfully submitted that the Examiner has used undue hindsight in view of the applicant’s own invention to choose selected bits and pieces of disparate references and then allege with hindsight that it would have been “obvious” to make this selected piece-meal combination before any knowledge of applicant’s invention.

In any event, because these references both have deficiencies already noted above with respect to parent claims, it is not believed necessary at this time to detail the additional deficiencies of this allegedly “obvious” combination of references with respect to these particular claims.

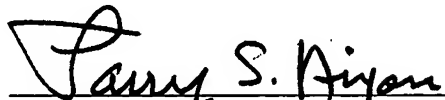
The Examiner’s attention is also drawn to new claim 32 which has been drafted in an effort to view the applicant’s invention from somewhat different perspective using somewhat different terminology. Hopefully the Examiner will recognize that new claim 32 is clearly and patentably distinguished from any teaching or suggestion of cited art.

HERON, A. et al.
Appl. No. 10/509,089
March 13, 2007

Accordingly, this entire application is now believed to be in allowable condition and a formal notice to that effect is respectfully solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
Larry S. Nixon
Reg. No. 25,640

LSN:lmw
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100



ANNOTATED MARKED UP DRAWINGS
FOR SN 10/509,089

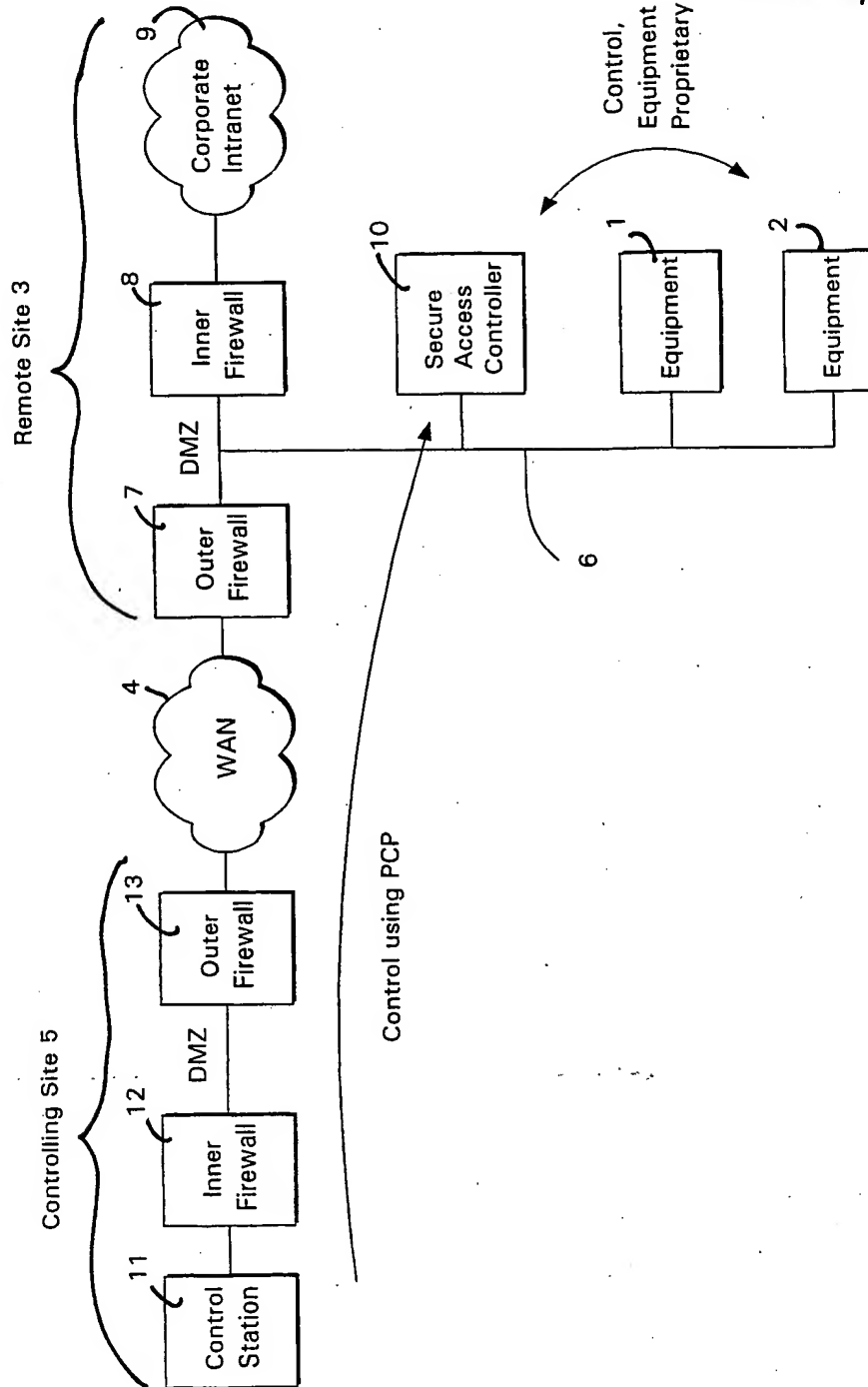


Figure 1
(PRIOR ART)

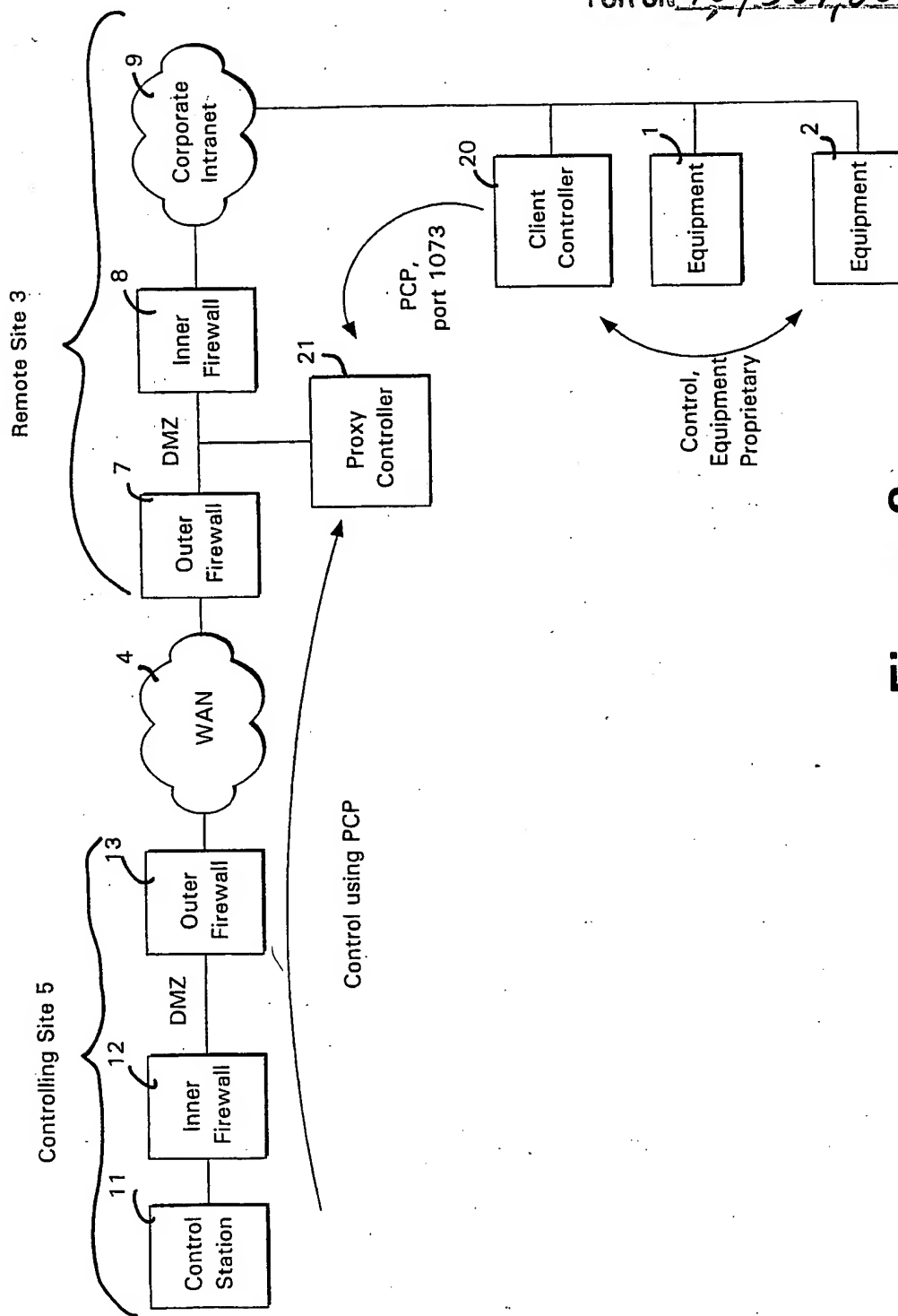
ANNOTATED MARKED UP DRAWINGS
FOR SN 10/509,089

Figure 2

3/10

ANNOTATED MARKED UP DRAWINGS
FOR SN 10/509,089

Client Controller

Proxy Controller

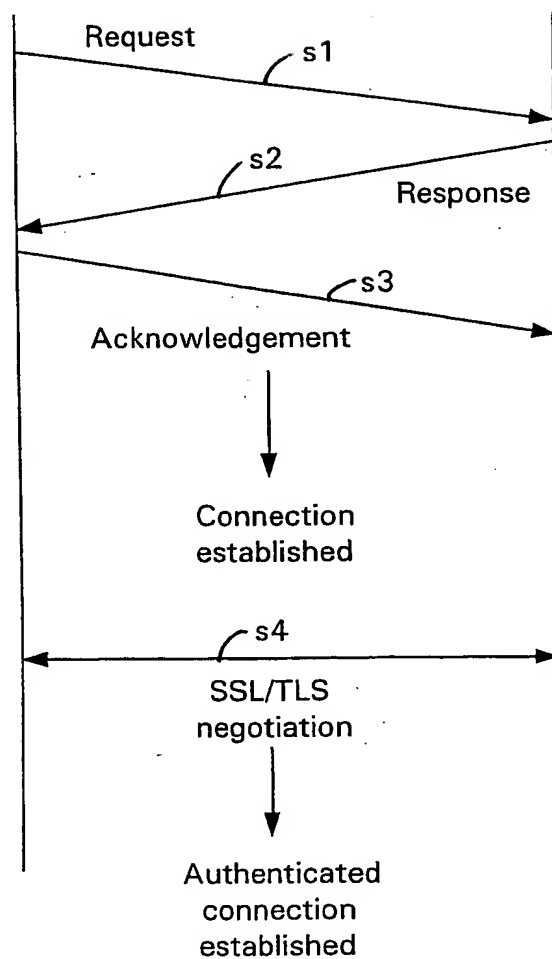
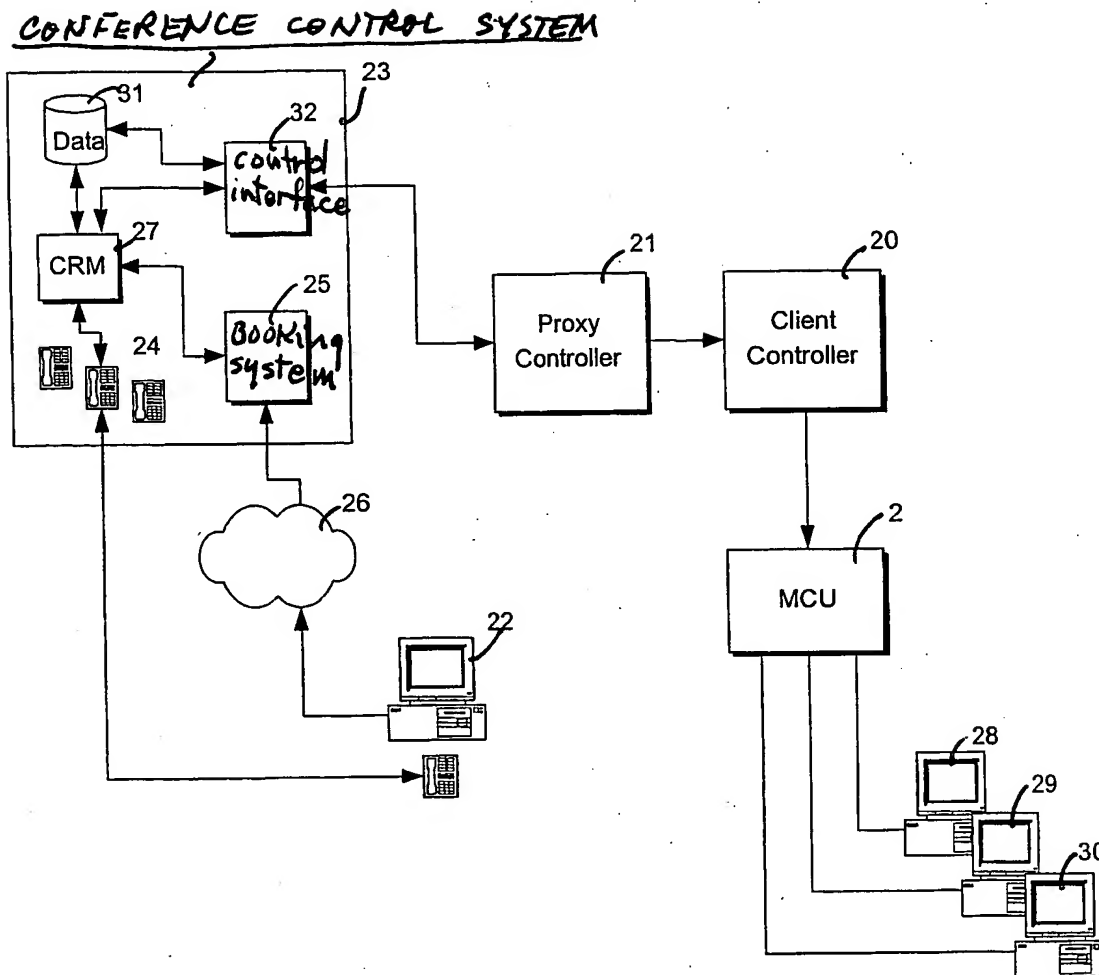
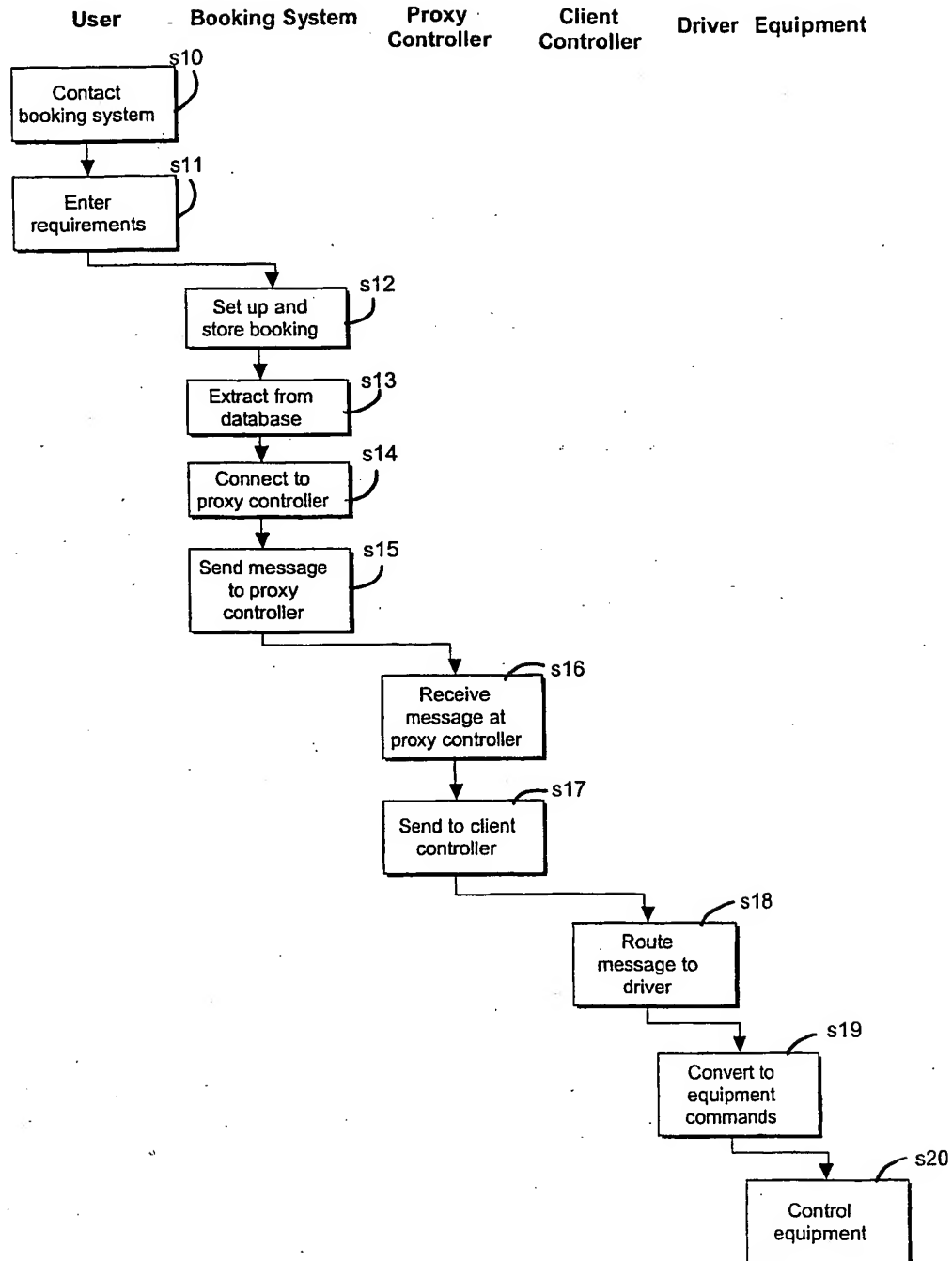


Figure 3

**Figure 4**

5/10

ANNOTATED MARKED UP DRAWINGS
FOR SN 10/509,089**Figure 5**

6/10

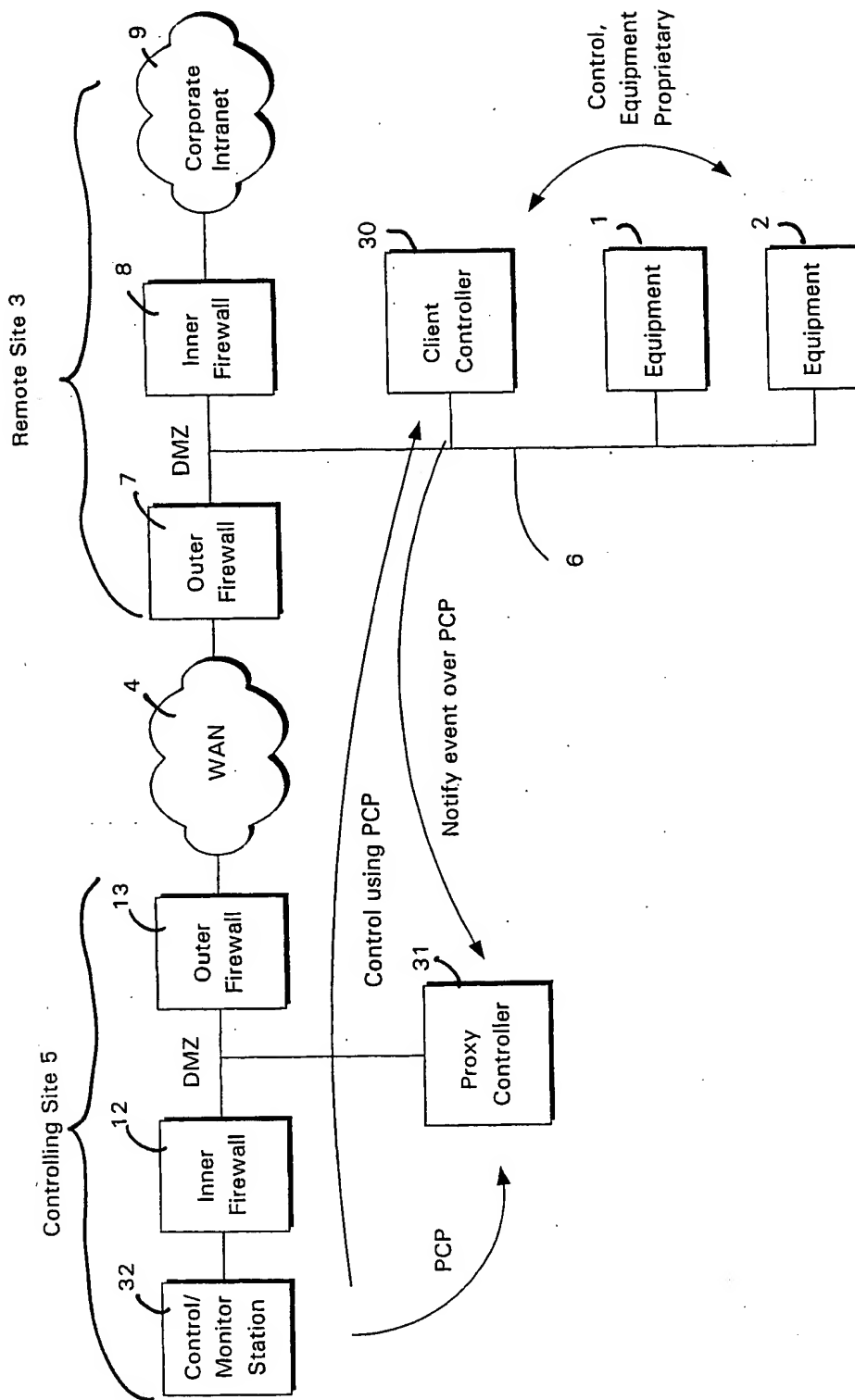
ANNOTATED MARKED UP DRAWINGS
FOR SN 10/509,089

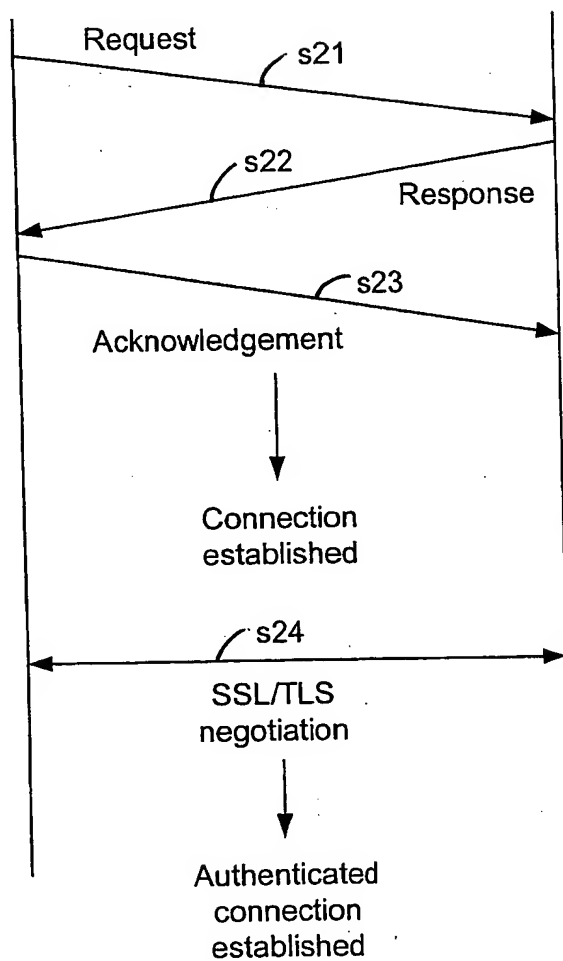
Figure 6

7/10

ANNOTATED MARKED UP DRAWINGS
FOR SN 10/509,089

Control/Monitor Station

Proxy Controller

**Figure 7**

8/10

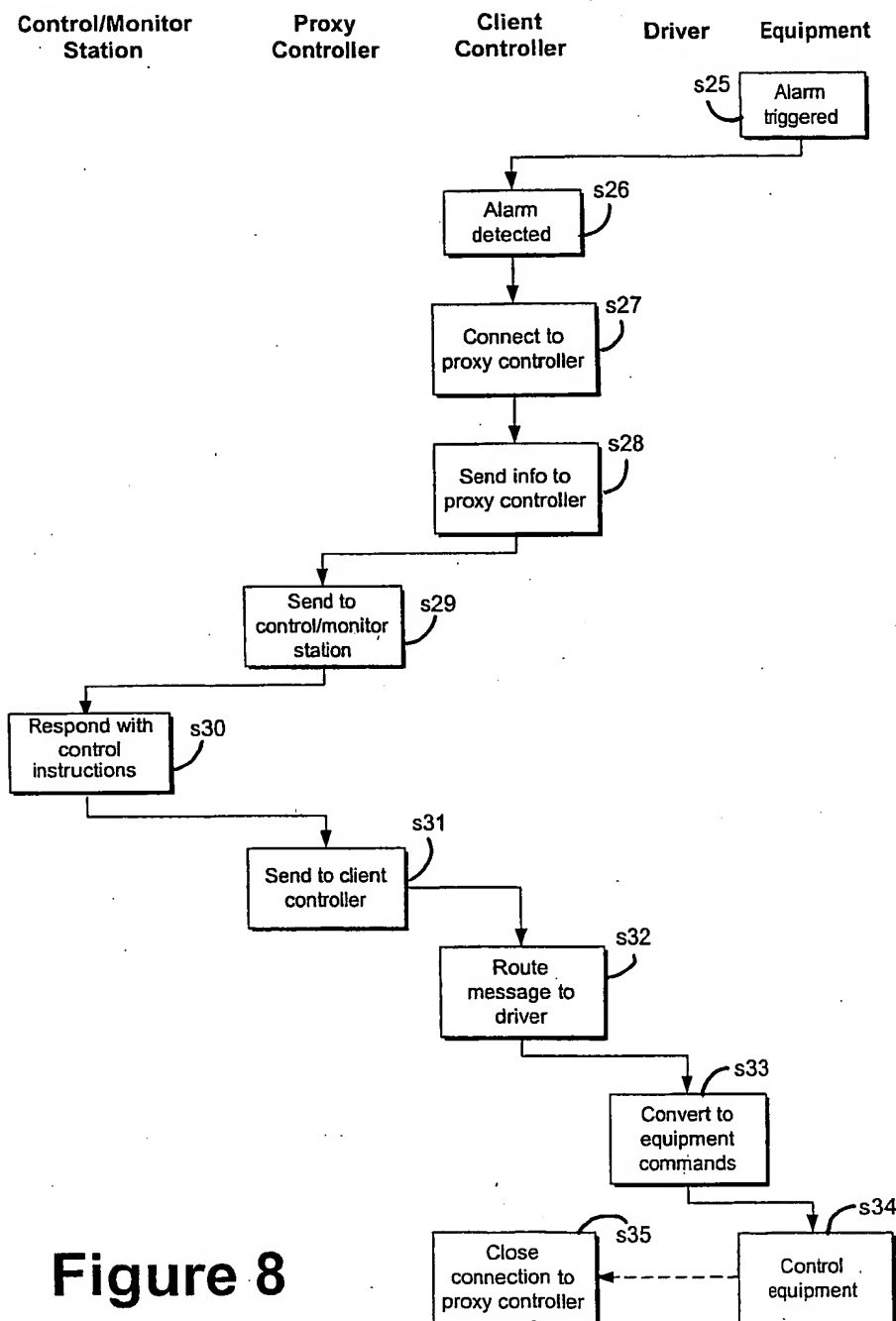
ANNOTATED MARKED UP DRAWINGS
FOR SN 10/509,089

Figure 8

9/10

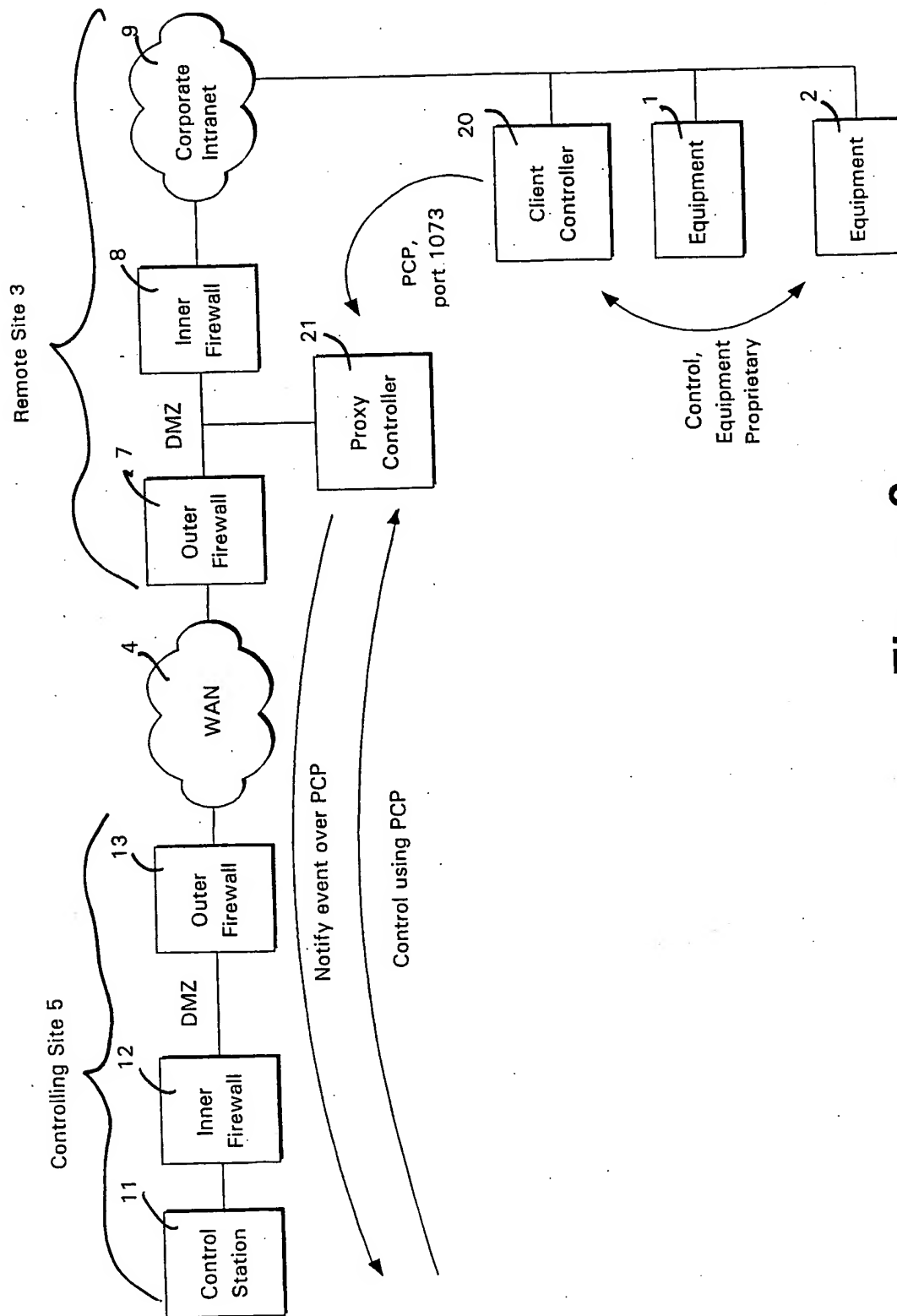
ANNOTATED MARKED UP DRAWINGS
FOR SN. 509,089

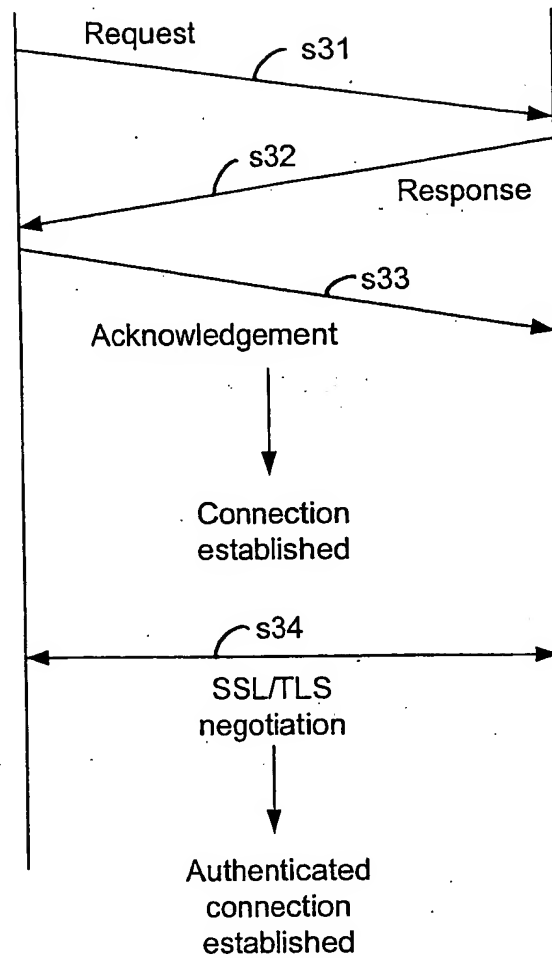
Figure 9

10/ 10

ANNOTATED MARKED UP DRAWINGS
FOR SN 509,089

Proxy Controller

Control Station

**Figure 10**